

**Note: The following case(s) is/are included in this ad.
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Process No.	Applicant Name
<u>02-194</u>	<u>MIGUEL R. MAGDALENA</u>
<u>04-067</u>	<u>BMS OJUS L. L. C.</u>
<u>04-234</u>	<u>EPARCHY OF PASSAIC NJNFP CORP.</u>

HEARING NO. 04-10-CZ2-1 (02-194)

4-52-42
Council Area 2
Comm. Dist. 4

APPLICANT: MIGUEL R. MAGDALENA

- (1) Applicant is requesting to permit a commercial building with a lot coverage of 53.26% (40% permitted).
- (2) Applicant is requesting to permit a commercial building setback varying from 7.11' to 7.83' (20' required) from the front (east) property line.
- (3) Applicant is requesting to permit 0 parking spaces (11 parking spaces required).
- (4) Applicant is requesting to permit 0 lot trees (3 required), 0 street trees (2 required) and 0 shrubs (50 required).
- (5) Applicant is requesting to waive the zoning regulations requiring a 5' high masonry wall where a business lot abuts a residential district; to waive same to permit a chain link fence along the rear property line.

Upon a demonstration that the applicable standards have been satisfied, approval of requests #1 - #3 may be considered under §33-311(A)(16) (Alternative Site Development Option for the BU Zoning District) or under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance) and approval of request #4 & #5 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

A map of survey is on file and may be examined in the Zoning Department entitled "Miguel Magdalena," as prepared by Land Development Consultants, dated 12/24/03 and consisting of 1 sheet.

SUBJECT PROPERTY: Lots 47 & 48, Block 5, HARRIETTE PARK, Plat book 17, Page 64.

LOCATION: 19108 N.E. 26 Avenue (West Dixie Highway), Miami-Dade County, Florida.

SIZE OF PROPERTY: 5,000 sq. ft.

PRESENT ZONING: BU-3 (Business – Liberal)

APPLICANT: BMS OJUS L. L. C.

(1) RU-3M & IU-1 to IU-1

REQUEST #1 ON PARCEL I

(2) RU-3M to BU-2

REQUEST #2 ON PARCEL II

SUBJECT PROPERTY: PARCEL I: The south 155' of Tract "A", SECOND REVISED PLAT OF AMENDED PLAT OF ALL OF BLOCKS 1 AND 2 L. TOMS' SUBDIVISION, Plat book 42, Page 56, less the west 115' and south 10' thereof and also less the external area of a 25' radius circular curve concave to the Northwest and being tangent to the east line of said Tract "A" and tangent to the north line of the south 10' of Tract "A". AND: PARCEL II: The north 155' of the south 310' of Tract "A", SECOND REVISED PLAT OF AMENDED PLAT OF ALL OF BLOCKS 1 AND 2 L. TOMS' SUBDIVISION, Plat book 42, Page 56, less the west 115' thereof.

LOCATION: The Northwest corner of N.E. 195 Street & West Dixie Highway, Miami-Dade County, Florida.

SIZE OF PROPERTY: 2.57 Acres

RU-3M (Minimum Apartment House 12.9 units/net acre)

IU-1 (Industry – Light)

BU-2 (Business – Liberal)

APPLICANT: EPARCHY OF PASSAIC NJNFP CORP.

(1) MODIFICATION of Condition #3 of Resolution 3-ZAB-451-67, and further modified by Resolution 4-ZAB-15-75, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "3. That in the approval of the plan, the same be substantially in accordance with that plan submitted for the hearing as prepared by HDW Houdaille, a division of Houdelle Industries, Inc. entitled 'St. Basil's Catholic Church Building Program,' and dated 10/5/74."

TO: "3. That in the approval of the plan, the same be substantially in accordance with that plan submitted for the hearing entitled 'St. Basil's Catholic Church Senior Community Center,' as prepared by Catalyst Design Group, Inc., dated 4/2/04 and consisting of 7 sheets."

The purpose of the request is to allow the applicant to revise the plans to develop a senior community center.

- (2) UNUSUAL USE to permit a senior community center in conjunction with a religious facility.
- (3) Applicant is requesting to permit a parking lot within 25' of property under different ownership to the west zoned RU or EU where it's not separated by a hedge or wall (not permitted).
- (4) Applicant is requesting to permit 101 parking spaces (144 parking spaces required).
- (5) Applicant is requesting to permit a building of public assemblage with an interior side setback of 69'3" (75' required)
- (6) Applicant is requesting to permit 40 trees (45 required).
- (7) Applicant is requesting to permit 400 shrubs (450 required).
- (8) Applicant is requesting to permit a 3' landscape buffer (5' required) along the interior side (west) property line where abutting a dissimilar land use.

Upon a demonstration that the applicable standards have been satisfied, approval of request #1 may be considered under §33-311(A)(7) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing) and requests #3 - #8 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

The aforementioned plans are on file and may be examined in the Zoning Department. Plans may be modified at public hearing.

SUBJECT PROPERTY: The east ½ of the SW ¼ of the SW ¼ of Section 32, Township 51 South, Range 42 East, less the south 35' thereof.

LOCATION: 1475 N.E. 199 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 5± Acres

PRESENT ZONING: AU (Agricultural – Residential)